



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of

CHANEY et al.

Application No.: 09/147,721

Filed: February 24, 1999

For: METHOD FOR PHYTOMINING OF NICKEL,  
COBALT AND OTHER METALS FROM SOIL

Notice of Allowance  
Mailed: October 3, 2003

Confirmation No.: 2098

Examiner: M. IBRAHM

Docket No.: 108172-09005

**REQUEST FOR ACKNOWLEDGEMENT OF  
CONSIDERATION OF DISCLOSED INFORMATION**

Mail Stop: Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: October 15, 2003

Sir:

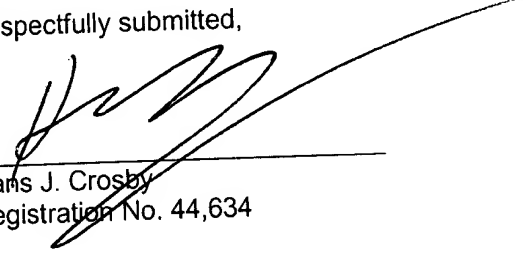
An Information Disclosure Statement with Form PTO-1449 was filed in the above-captioned patent application on October 26, 2001. Applicants have not yet received a copy of the Form PTO-1449 initialed by the Examiner to acknowledge the cited disclosed information was considered by the Examiner.

The Examiner is requested to initial and return to the undersigned a copy of the subject Form PTO-1449. For the convenience of the Examiner, a copy of that form is attached.

Should there be any questions concerning this communication, please telephone the undersigned attorney at the telephone number set forth below.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300.

Respectfully submitted,

  
Hans J. Crosby  
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## PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHANEY et al.

Atty. Dck. No. 108172-09005

Serial No.: 09/147,721

Examiner: M. Ibrahim

Filed: February 24, 1999

Art Unit: 1638

For: METHOD FOR PHYTOMINING OF NICKEL, COBALT AND OTHER METALS FROM SOIL

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231  
Sir:

Date: October 26, 2001

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☐ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date, OR (b) before the mailing date of a first Office Action on the merits in the present application, OR (c) accompanies a Request for Continued Examination. No certification or fee is required.
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- ☒ c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.

☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

Respectfully submitted,

**SIGNATURE ON ORIGINAL**

\_\_\_\_\_  
Richard J. Berman  
Registration No. 39,107

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RJB/ccd  
Enclosure: 1449 form / 4 references

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

108172-09005

SERIAL NO.

09/147,721

APPLICANT

CHANEY et al.

FILING DATE

February 24, 1999

GROUP

1638

## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	5,944,872	08/1999	Chaney, et al.			
	AB	5,785,735	07/1998	Raskin, et al.			
	AC						
	AD						
	AE						
	AF						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION		
							YES	NO	PART.
	AG								
	AH								
	AI								
	AJ								
	AK								
	AL								

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AM	Salt, "Phytoextraction: Present Applications and Future Promise", Bioremediation of Contaminated Soils, pages 729-743.
	AN	Brooks, et al., "Some observations on the ecology, metal uptake and nickel tolerance of Alyssum serpyllifolium subspecies from the Iberian peninsula", Vegetatio 45, 183-188 (1981)
	AO	

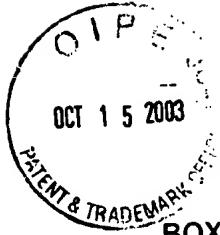
EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**REQUEST FOR ACKNOWLEDGEMENT OF  
CONSIDERATION OF DISCLOSED INFORMATION**



**BOX: AFTER ISSUE**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

An Information Disclosure Statement with Form PTO-1449 was filed in the above-captioned patent application on --. Applicants have not yet received a copy of the Form PTO-1449 initialed by the Examiner to acknowledge the cited disclosed information was considered by the Examiner.

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Respectfully submitted,

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RJB/ccd

Enclosures: Copy of IDS, 1449